



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,648	06/04/2001	Farhad Barzegar	03493.00211	2180
28317	7590	01/25/2005	EXAMINER	
BANNER & WITCOFF LTD., ATTORNEYS FOR AT & T CORP 1001 G STREET, N.W. ELEVENTH STREET WASHINGTON, DC 20001-4597			SAM, PHIRIN	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/871,648	BARZEGAR ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Phirin Sam	2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-24 is/are pending in the application.
- 4a) Of the above claim(s) 1-14 and 25-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-17 and 21-24 is/are rejected.
- 7) ☒ Claim(s) 18-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



PHIRIN SAM  
PRIMARY EXAMINER

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>08/27/01</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 24 rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 5,949,763 (hereinafter called "Lund").

Lund discloses the invention (**claim 24**) as claimed including a method of connecting telecommunication call sessions from multiple stations at a subscriber premise through a multiple access subscriber links comprising the steps:

- (a) providing a digital interface to a backplane of a digital loop carrier (see Fig. 2, element 24, col. 3, lines 43-47).
- (b) generating signaling data at a one of said stations (see Fig. 3, col. 5, lines 14-17).
- (c) transmitting said signaling data over said multiple access link to said network interface (see Fig. 3, col. 5, lines 21-26).

Art Unit: 2661

(d) in response to receiving said signaling data at said network interface, applying said signaling data to said digital interface to create an appearance of a POT connected through a line card connected to said backplane (see Fig. 6, col. 6, lines 30-50).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,949,763 (hereinafter called "Lund") in view of US Patent 6,144,659 (hereinafter called "Nye").

Lund discloses the invention (**claim 15**) as claimed including a central office interface between a multiple access link to a subscriber premises and a local carrier network (see Figs. 1 and 2), comprising:

- (a) a digital loop carrier with a digital interface (see Fig. 2, element 24) to permit access to a digital backplane of said digital loop carrier (see Figs. 2, col. 3, lines 43-51).
- (b) a controller with a modulator/demodulator (see Fig. 2, element 24) configured to apply data responding to multiple voice call sessions from said link to said digital interface, and to apply data corresponding to said multiple voice call sessions from said digital interface to said link (see Fig. 2, col. 3, lines 45-47, col. 17, lines 17-23). Where the data traffic output is multiplexed (modulated) or demultiplexed (demodulated) by DSLAM into a format suitable for transport on a data network 40.
- (c) said multiple access link being established over a single twisted pair metallic interface (see Figs. 2, 3, element 12, col. 3, lines 47-51, and col. 4, lines 4-7, 47-50).

Lund does not disclose a controller configured to apply data responding to multiple voice call sessions from said link to said digital interface, and to apply data corresponding to said multiple voice call sessions from said digital interface to said link. However, Nye discloses the controller configured to apply data responding to multiple voice call sessions from said link to said digital interface, and to apply data corresponding to said multiple voice call sessions from said digital interface to said link (see Fig. 4, element 150, col. 5, lines 66-67, col. 6, lines 1-12, 33-67). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the controller teaching by Nye with Lund. The motivation for doing so would

Art Unit: 2661

have been to provide call processing communications and instructions, call set up, generates commands, etc. Therefore, it would have been obvious to combine Nye and Lund to obtain the invention as specified in the claim 15.

6. Claims 15-17 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,949,763 (hereinafter called "Lund") in view of US Patent 6,215,796 (hereinafter called "Smith, Jr.").

**Regarding claims 15-17**, Lund discloses 17, 18, 19, 20, a central office interface between a multiple access link to a subscriber premises and a local carrier network (see Figs. 1 and 2), comprising:

- (a) a digital loop carrier with a digital interface (see Fig. 2, element 24) to permit access to a digital backplane of said digital loop carrier (see Figs. 2, col. 3, lines 43-51).
- (b) a controller with a modulator/demodulator (see Fig. 2, element 24) configured to apply data responding to multiple voice call sessions from said link to said digital interface, and to apply data corresponding to said multiple voice call sessions from said digital interface to said link (see Fig. 2, col. 3, lines 45-47, col. 17, lines 17-23). Where the data traffic output is multiplexed (modulated) or demultiplexed (demodulated) by DSLAM into a format suitable for transport on a data network 40.
- (c) said multiple access link being established over a single twisted pair metallic interface (see Figs. 2, 3, element 12, col. 3, lines 47-51, and col. 4, lines 4-7, 47-50).

Lund does not disclose a controller configured to apply data responding to multiple voice call sessions from said link to said digital interface, and to apply data corresponding to said multiple

Art Unit: 2661

voice call sessions from said digital interface to said link. However, Smith, Jr. discloses the controller configured to apply data responding to multiple voice call sessions from said link to said digital interface, and to apply data corresponding to said multiple voice call sessions from said digital interface to said link (see Figs. 1 and 2, col. 4, lines 23-37). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the controller configured to responding to multiple voice call sessions teaching by Smith, Jr. with Lund. The motivation for doing so would have been to provide to support more than two and up to five telephones in concurrent use. Therefore, it would have been obvious to combine Smith, Jr. and Lund to obtain the invention as specified in the claims 15-17.

**Regarding claims 21-23**, Lund discloses a method of connecting telecommunication call sessions from multiple stations at a subscriber premise, comprising the steps of:

- (a) generating signaling data at a one of said stations (see Fig. 3, col. 5, lines 14-17).
- (b) transmitting said signaling data over said multiple access link to said network interface (see Fig. 3, col. 5, lines 21-26).
- (c) in response to receiving the signaling data at the network interface, transmitting the signaling data over one of a digital loop carrier and a digital network responsively to a called number in said signaling data (see Fig. 6, col. 6, lines 30-50).

Lund does not disclose allocating a channel in a multiple access link to a network interface to communicate data over said link, said user data corresponding to said signaling data and de-allocating said channel responsively to a termination of said user data. However, Smith, Jr. discloses allocating the channel to the network interface to communicate over the link and de-

Art Unit: 2661

allocating the channel to the termination of the user (see Fig. 3, col. 4, lines 23-52). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine allocating the channel and de-allocating the channel teaching by Smith, Jr. with Lund. The motivation for doing so would have been to provide to support more than two and up to five telephones in concurrent use. Therefore, it would have been obvious to combine Smith, Jr. and Lund to obtain the invention as specified in the claims 21-23.

***Allowable Subject Matter***

7. Claims 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phirin Sam whose telephone number is (571) 272-3082. The examiner can normally be reached on Mon-Fri, 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth N Vanderpuye can be reached on (571) 272 - 3078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully submitted,

Date: January 24, 2005

A handwritten signature in black ink, appearing to read 'Phirin', written over a horizontal line.

**PHIRIN SAM  
PRIMARY EXAMINER**